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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/523,853	03/13/2000	Hadi Partovi	22379-710	6249

7590 06/19/2002

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EXAMINER

NGUYEN, QUANG N

ART UNIT PAPER NUMBER

2152

DATE MAILED: 06/19/2002

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/523,853

Applicant(s)

PARTOVI ET AL.

Examiner

Quang N. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 March 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8, 12.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

1. This Office action is in response to the Application No. 09/523853 filed on 03/13/2000, the Letter of Declaration & Fee filed on 05/15/2000, the Petition 37 CFR 1.47(a), the Power of Attorney, the Statement Claiming Small Entity Status and the Extension of Time filed on 06/29/2000, the Request for Corrected Filing Receipt filed on 06/30/2000, the Declaration and Power of Attorney and the Certificate under 37 CFR 3.73(b) filed on 08/31/2000, the Power of Attorney Acceptance filed on 09/28/2000, the Petition Granted filed on 10/04/2000, and the IDSes filed on 07/21/2000, and 03/27/2001.

Specification

2. The disclosure is objected to because of the following informalities: The description of the DETAILED DESCRIPTION on Page 14 Line 14-16 states that "The user profile typically includes collections of different information as shown and described more fully in connection with Figure 6." However, there is not a "Figure 6" in the drawings. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it

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pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 2 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 3-4 are rejected because of rejected parent claim 2.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wise et al. (US 5,884,262), herein after referred as Wise, in view of Eslambolchi et al. (US 5,875,422), herein after referred as Eslambolchi.

Referring to claims 1-7, Wise discloses a system and a method of using a telephone identifying information to present information over a telephone interface using a first computer (see Wise, architecture 100 of FIG. 1 and system 200 of FIG. 2) wherein the method comprising:

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presenting information in different voice characters (low male, female, contrasting voices, etc.) depending on the content of the presented information over the telephone interface (see Wise, C2: L5-34, C5: L45-65, C6: L14-30, C8: L56-67 and C9: L1-26) but does not disclose a system and a method of selecting at least one voice character setting comprising the corresponding dialect in the set of dialects based on the locale identified by the telephone identifying information and presenting information according to the at least one voice character setting over the telephone interface using the first computer. In the related art, Eslambolchi discloses a system (see Eslambolchi, a telecommunications network 10 of FIG) and a method of automatic language translation (geographically) for use in a telecommunications network (see Eslambolchi, C3: L15-41). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system and method as claimed of Wise and Eslambolchi so as to select at least one voice character setting comprising the corresponding dialect in the set of dialects based on the locale identified by the telephone identifying information and present information according to the at least one voice character setting over the telephone interface using the first computer since such techniques/methods were conventionally employed in voice prompt/voicemail systems and in automatic language translation for use in telecommunications network.

6. Claims 8-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wise, in view of Eslambolchi, and further in view of Smyk (US 6,161,128).

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Referring to claims 8, 9 and 13, Wise and Eslambolchi disclose a computer system and a method supporting user personalized profiles using a telephone identifying information, a telephone interface wherein the computer system comprising a database and a telephone interface subsystem as claimed above but do not disclose a server supporting the Internet interface, allowing access to and modification of, the personalization profiles by the corresponding users. In the related art, Smyk discloses a system and a method of using a telephone identifying information to access and modify a user profile on a first computer over an Internet using a second computer with a web interface to the first computer (see Smyk, C3: L45-52, C4: L50-63, C5: L48-62, C9: L20-67, C10: L1-32 and C12: L12-39). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system and the method of Wise and Eslambolchi so as to comprise a server supporting the Internet interface, allowing access to and modification of, the personalization profiles by the corresponding users since such systems and methods of creating/modifying a user profile using computers with a web interface were conventionally employed for user access/modification to services and data over the Internet.

Referring to claim 10, Wise discloses a computer system as in claim 8 above, wherein the telephone identifying information includes caller number identifications (CIDs) used by the first program code to perform matching of calls to personalization profiles (see Wise, C3: L9-18 and C9: L2-26).

Referring to claim 11, Smyk discloses a computer system as in claim 8 above, wherein the server includes a web server (see Smyk, web server 204 of FIG. 2) for presenting customized interfaces to users to access and modify the personalization profiles (see Smyk, FIG. 4A, 4B, 4C, C5: L63-67, C6: L1-7, C9: L10-67, and C10: L1-32).

Referring to claim 12, Wise discloses a computer system as in claim 8 above, wherein the telephone interface subsystem includes a call manager supporting multiple simultaneous telephone calls over the telephone interface (see Wise, call manager 210 of FIG. 2, C5: L45-65, C6: L14-30, C8: L37-43 and C10: L29-60).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. A shortened statutory period for reply to this action is set to expire THREE (3) months from the mailing date of this communication. See 37 CFR 1.134.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (703) 305-8190.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark H. Rinehart can be reached on (703) 305-4815. The fax phone number for the organization is (703) 746-5485.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

**MARK H. RINEHART
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100**

Qn
June 4, 2002